

Message Text

UNCLASSIFIED

PAGE 01 GENEVA 06794 051107Z
ACTION DLOS-09

INFO OCT-01 IO-14 ISO-00 OES-07 L-03 AF-10 ARA-14
EA-12 EUR-12 NEA-11 ACDA-12 AGRE-00 AID-05 CEA-01
CEQ-01 CG-00 CIAE-00 COME-00 DODE-00 DOTE-00
EB-08 EPA-04 SOE-02 DOE-15 FMC-02 TRSE-00 H-02
INR-10 INT-05 JUSE-00 NSAE-00 NSC-05 NSF-02
OMB-01 PA-02 PM-05 SP-02 SS-15 ICA-20 /212 W
-----025255 051116Z /13-11

P 051003Z MAY 78
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 9213

UNCLAS GENEVA 06794

E.O. 11652: N/A
TAGS: PLOS
SUBJECT: NJENGA ARTICLE 153

NG1/5
1 MAY 1978
ORIGINAL: ENGLISH

BRACKETS AROUND NEW LANGUAGE; DASHES INDICATE
DELETION

SUGGESTED COMPROMISE FORMULA
ARTICLE 153 - THE REVIEW CONFERENCE

1. TWENTY YEARS FROM THE APPROVAL OF THE FIRST
CONTRACT OR PLAN OF WORK UNDER THE PRESENT CONVENTION
THE ASSEMBLY SHALL CONVENE A CONFERENCE FOR THE
REVIEW OF THOSE PROVISIONS OF THIS PART OF THE PRESENT
CONVENTION AND THE ANNEXES THERETO WHICH GOVERNS THE
SYSTEM OF EXPLORATION AND EXPLOITATION OF THE
RESOURCES OF THE AREA. THE CONFERENCE SHALL CONSIDER
IN DETAIL, IN THE LIGHT OF THE EXPERIENCE ACQUIRED
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 GENEVA 06794 051107Z

DURING THAT PERIOD, WHETHER THE PROVISIONS OF THIS
PART OF THE PRESENT CONVENTION GOVERNING THE SYSTEM
OF EXPLORATION AND EXPLOITATION OF THE RESOURCES
OF THE AREA HAVE ACHIEVED THEIR AIMS IN ALL RESPECTS,
IN PARTICULAR WHETHER THEY HAVE-----BENEFITED
MANKIND AS A WHOLE, WHETHER THEY HAVE NOT RESULTED
IN AN EXCESSIVE CONCENTRATION OF THE EXPLOITATION

OF THESE RESOURCES IN THE HANDS OF A SMALL NUMBER OF STATES, WHETHER THE ECONOMIC PRINCIPLES SET FORTH IN ARTS. 150 AND 150 BIS HAVE BEEN COMPLIED WITH AND WHETHER THE REGIME HAS BENEFITED THE DEVELOPING COUNTRIES.

2. IN PARTICULAR, THE CONFERENCE SHALL CONSIDER WHETHER, DURING THE 20-YEAR PERIOD MENTIONED IN PARA. 1 OF THIS ARTICLE, A BALANCE HAS BEEN MAINTAINED BETWEEN THE AREAS RESERVED FOR THE AUTHORITY AND DEVELOPING COUNTRIES, AND THE CONTRACT AREAS EXPLOITED BY STATES, STATE ENTITIES, NATURAL OR JURIDICAL PERSONS IN ASSOCIATION WITH THE AUTHORITY, AND WHETHER THE PROVISIONS OF THIS PART OF THE CONVENTION HAVE RESULTED IN SUCCESSFUL OPERATIONS IN BOTH THE RESERVED AND NON-RESERVED AREAS.

3. SAME.

4. -----THE CONFERENCE SHALL ESTABLISH A SYSTEM OF VOTING-----UNDER WHICH THE MAJORITIES REQUIRED -----SHALL BE THE SAME AS THE MAJORITIES REQUIRED FOR DECISIONS, BY VOTING, OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA UNDER RULE 39 OF THE RULES OF PROCEDURE FOR THAT CONFERENCE. THE CONFERENCE SHALL MAKE EVERY EFFORT TO REACH AGREEMENT ON SUBSTANTIVE MATTERS BY WAY OF CONSENSUS UNCLASSIFIED

UNCLASSIFIED

PAGE 03 GENEVA 06794 051107Z

AND THERE SHALL BE NO VOTING ON SUCH MATTERS UNTIL ALL EFFORTS AT CONSENSUS HAVE BEEN EXHAUSTED.

5. AMENDMENTS ADOPTED BY THE CONFERENCE UNDER THE PROVISIONS OF THIS ARTICLE SHALL NOT AFFECT RIGHTS ACQUIRED UNDER EXISTING CONTRACTS. -----
-----.

6. FIVE YEARS AFTER THE COMMENCEMENT OF THE REVIEW CONFERENCE, AND UNTIL AN AGREEMENT ON THE SYSTEM OF EXPLORATION AND EXPLOITATION OF THE RESOURCES OF THE AREA ENTERS INTO FORCE, THE ASSEMBLY MAY DECIDE, BY THE MAJORITY REQUIRED FOR QUESTIONS OF SUBSTANCE, THAT NO NEW CONTRACTS OR PLANS OF WORK FOR ACTIVITIES IN THE AREA SHALL BE APPROVED. RICHARDSON

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, AGREEMENTS, AMENDMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 05 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978GENEVA06794
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780192-0123
Format: TEL
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780590/aaaacyqe.tel
Line Count: 109
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 55dacba3-c288-dd11-92da-001cc4696bcc
Office: ACTION DLOS
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2784099
Secure: OPEN
Status: NATIVE
Subject: NJENGA ARTICLE 153 NG1/5 1 MAY 1978
TAGS: PLOS
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/55dacba3-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014